General Assembly

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Sixty-third session
Agenda item 64 (c)

Resolution adopted by the General Assembly

[on the report of the Third Committee (A/63/430/Add.3 and Corr.1)]

63/190. Situation of human rights in the Democratic People's Republic of Korea

The General Assembly,

Reaffirming that States Members of the United Nations have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations that they have undertaken under the various international instruments,

Mindful that the Democratic People's Republic of Korea is a party to the International Covenant on Civil and Political Rights,[1] the International Covenant on Economic, Social and Cultural Rights,[1] the Convention on the Rights of the Child[2] and the Convention on the Elimination of All Forms of Discrimination against Women,[3]

Noting the submission by the Democratic People's Republic of Korea of its combined third and fourth periodic reports on the implementation of the Convention on the Rights of the Child as a sign of engagement in international cooperative efforts in the field of human rights,

Taking note of the concluding observations of the treaty monitoring bodies under the four treaties to which the Democratic People's Republic of Korea is a party, the most recent of which were given by the Committee on the Elimination of Discrimination against Women in July 2005,[4]

Noting with appreciation the collaboration established between the Government of the Democratic People's Republic of Korea and the United Nations Children's Fund and the World Health Organization in order to improve the health situation in the country, and the collaboration established with the United Nations Children's Fund in order to improve the quality of education for children, as well as the recent request by the Government of the Democratic People's Republic of Korea to the World Food Programme for increased food assistance and the expanded access and improved working conditions granted,

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[1] See resolution 2200 A (XXI), annex.

[2] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[3] Ibid., vol. 1249, No. 20378.

[4] See *Official Records of the General Assembly, Sixtieth Session, Supplement No. 38* (A/60/38), part two, paras. 26–76.

Noting that the Democratic People's Republic of Korea and the United Nations Development Programme have started consultations regarding possible resumption of the activities of the Programme in the country,

Recalling its resolutions 60/173 of 16 December 2005, 61/174 of 19 December 2006 and 62/167 of 18 December 2007, Commission on Human Rights resolutions 2003/10 of 16 April 2003,[5] 2004/13 of 15 April 2004[6] and 2005/11 of 14 April 2005,[7] Human Rights Council decision 1/102 of 30 June 2006[8] and Council resolution 7/15 of 27 March 2008,[9] and mindful of the need for the international community to strengthen its coordinated efforts aimed at achieving the implementation of those resolutions,

Taking note of the report of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea,[10] regretting that he was not allowed to visit the country and that he received no cooperation from the authorities of the Democratic People's Republic of Korea, and taking note also of the comprehensive report of the Secretary-General on the situation of human rights in the Democratic People's Republic of Korea submitted in accordance with resolution 62/167,[11]

Noting the importance of the inter-Korean dialogue, which could contribute to the improvement of the human rights and humanitarian situation in the Democratic People's Republic of Korea, including by means of securing access,

1. *Expresses its very serious concern* at:

(*a*) The persistence of continuing reports of systematic, widespread and grave violations of civil, political, economic, social and cultural rights in the Democratic People's Republic of Korea, including:

(i) Torture and other cruel, inhuman or degrading treatment or punishment, including inhuman conditions of detention, public executions, extrajudicial and arbitrary detention; the absence of due process and the rule of law, including fair trial guarantees and an independent judiciary; the imposition of the death penalty for political and religious reasons; and the existence of a large number of prison camps and the extensive use of forced labour;

(ii) The situation of refugees and asylum-seekers expelled or returned to the Democratic People's Republic of Korea and sanctions imposed on citizens of the Democratic People's Republic of Korea who have been repatriated from abroad, leading to punishments of internment, torture, cruel, inhuman or degrading treatment or the death penalty, and in this regard urges all States to respect the fundamental principle of non-refoulement, to treat those who seek refuge humanely and to ensure unhindered access to the United Nations High Commissioner for Refugees and his Office, with a view to improving the situation of those who seek refuge;

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[5] See *Official Records of the Economic and Social Council, 2003, Supplement No. 3* (E/2003/23), chap. II, sect. A.

[6] Ibid., *2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.

[7] Ibid., *2005, Supplement No. 3* and corrigenda (E/2005/23 and Corr.1 and 2), chap. II, sect. A.

[8] See *Official Records of the General Assembly, Sixty-first Session, Supplement No. 53* (A/61/53), chap. II, sect. B.

[9] Ibid., *Sixty-third Session, Supplement No. 53* (A/63/53), chap. II.

[10] See A/63/322.

[11] A/63/332.

(iii) All-pervasive and severe restrictions on the freedoms of thought, conscience, religion, opinion and expression, peaceful assembly and association, and on equal access to information, by such means as the persecution of individuals exercising their freedom of opinion and expression, and their families;

(iv) Limitations imposed on every person who wishes to move freely within the country and travel abroad, including the punishment of those who leave or try to leave the country without permission, or their families, as well as punishment of persons who are returned by other countries;

(v) The violations of economic, social and cultural rights, which have led to severe malnutrition, widespread health problems and other hardship for the population in the Democratic People's Republic of Korea, in particular for persons belonging to vulnerable groups, inter alia, women, children and the elderly;

(vi) Continuing violation of the human rights and fundamental freedoms of women, in particular the trafficking of women for the purpose of prostitution or forced marriage and the subjection of women to human smuggling, forced abortions, gender-based discrimination and violence;

(vii) Continuing reports of violations of the human rights and fundamental freedoms of persons with disabilities, especially on the use of collective camps and of coercive measures that target the rights of persons with disabilities to decide freely and responsibly on the number and spacing of their children;

(viii) Violations of workers' rights, including the right to freedom of association and collective bargaining, the right to strike as defined by the obligations of the Democratic People's Republic of Korea under the International Covenant on Economic, Social and Cultural Rights,[1] and the prohibition of the economic exploitation of children and of any harmful or hazardous work of children as defined by the obligations of the Democratic People's Republic of Korea under the Convention on the Rights of the Child;[2]

(*b*) The continued refusal of the Government of the Democratic People's Republic of Korea to recognize the mandate of the Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea or to extend cooperation to him, despite the renewal of the mandate by the Human Rights Council in its resolution 7/15;[3]

2. *Reiterates its very serious concern* at unresolved questions of international concern relating to the abduction of foreigners in the form of enforced disappearance, which violates the human rights of the nationals of other sovereign countries, and in this regard strongly calls upon the Government of the Democratic People's Republic of Korea urgently to resolve these questions, including through existing channels, in a transparent manner, including by ensuring the immediate return of abductees;

3. *Expresses its very deep concern*, while noting the willingness to seek humanitarian assistance, at the precarious humanitarian situation in the country, compounded by the misallocation of resources away from the satisfaction of basic needs and by frequent natural disasters, in particular the prevalence of maternal malnutrition and of infant malnutrition, which, despite recent progress, continues to affect the physical and mental development of a significant proportion of children, and urges the Government of the Democratic People's Republic of Korea, in this regard, to take preventive and remedial action;

4. *Commends* the Special Rapporteur for the activities undertaken so far and for his continued efforts in the conduct of his mandate despite the limited access to information;

5. *Strongly urges* the Government of the Democratic People's Republic of Korea to respect fully all human rights and fundamental freedoms and, in this regard:

(*a*) To immediately put an end to the systematic, widespread and grave violations of human rights mentioned above, inter alia, by implementing fully the measures set out in the above-mentioned resolutions of the General Assembly, the Commission on Human Rights and the Human Rights Council, and the recommendations addressed to the Democratic People's Republic of Korea by the United Nations special procedures and treaty bodies;

(*b*) To protect its inhabitants, address the issue of impunity and ensure that those responsible for violations of human rights are brought to justice before an independent judiciary;

(*c*) To tackle the root causes leading to refugee outflows and prosecute those who exploit refugees by human smuggling, trafficking and extortion, while not criminalizing the victims, and to ensure that citizens of the Democratic People's Republic of Korea expelled or returned to the Democratic People's Republic of Korea are able to return in safety and dignity, are humanely treated and are not subjected to any kind of punishment;

(*d*) To extend its full cooperation to the Special Rapporteur, including by granting him full, free and unimpeded access to the Democratic People's Republic of Korea, and to other United Nations human rights mechanisms;

(*e*) To engage in technical cooperation activities in the field of human rights with the United Nations High Commissioner for Human Rights and her Office, as pursued by the High Commissioner in recent years, with a view to improving the situation of human rights in the country, and to prepare for the universal periodic review of the Democratic People's Republic of Korea by the Human Rights Council, which will be conducted in 2009;

(*f*) To engage in cooperation with the International Labour Organization with a view to significantly improving workers' rights;

(*g*) To continue and reinforce its cooperation with United Nations humanitarian agencies;

(*h*) To ensure full, safe and unhindered access to humanitarian aid and take measures to allow humanitarian agencies to secure its impartial delivery to all parts of the country on the basis of need in accordance with humanitarian principles, as it pledged to do, and to ensure access to adequate food and implement food security policies, including through sustainable agriculture;

6. *Decides* to continue its examination of the situation of human rights in the Democratic People's Republic of Korea at its sixty-fourth session, and to this end requests the Secretary-General to submit a comprehensive report on the situation in the Democratic People's Republic of Korea and the Special Rapporteur to continue to report his findings and recommendations.

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Sixty-third session
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Resolution adopted by the General Assembly

[*on the report of the Third Committee (A/63/430/Add.3 and Corr.1)*]

63/191. Situation of human rights in the Islamic Republic of Iran

The General Assembly,

Guided by the Charter of the United Nations, as well as the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and other international human rights instruments,

Recalling its previous resolutions on the situation of human rights in the Islamic Republic of Iran, the most recent of which is resolution 62/168 of 18 December 2007,

1. *Takes note* of the report of the Secretary-General submitted pursuant to its resolution 62/168,[3] which highlights a broad range of serious human rights violations, legal and institutional gaps and impediments to the protection of human rights and which discusses some positive developments in a few areas;

2. *Expresses its deep concern* at serious human rights violations in the Islamic Republic of Iran relating to, inter alia:

(*a*) Torture and cruel, inhuman or degrading treatment or punishment, including flogging and amputations;

(*b*) The continuing high incidence of executions carried out in the absence of internationally recognized safeguards, including public executions and executions of juveniles;

(*c*) Persons in prison who continue to face sentences of execution by stoning;

(*d*) Arrests, violent repression and sentencing of women exercising their right to peaceful assembly, a campaign of intimidation against women's human rights defenders, and continuing discrimination against women and girls in law and in practice;

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[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

[3] A/63/459.

(*e*) Increasing discrimination and other human rights violations against persons belonging to religious, ethnic, linguistic or other minorities, recognized or otherwise, including, inter alia, Arabs, Azeris, Baluchis, Kurds, Christians, Jews, Sufis and Sunni Muslims and their defenders, and, in particular, attacks on Baha'is and their faith in State-sponsored media, increasing evidence of efforts by the State to identify and monitor Baha'is, preventing members of the Baha'i faith from attending university and from sustaining themselves economically, and the arrest and detention of seven Baha'i leaders without charge or access to legal representation;

(*f*) Ongoing, systemic and serious restrictions of freedom of peaceful assembly and association and freedom of opinion and expression, including those imposed on the media, Internet users and trade unions, and increasing harassment, intimidation and persecution of political opponents and human rights defenders from all sectors of Iranian society, including arrests and violent repression of labour leaders, labour members peacefully assembling and students, in particular with regard to the 2008 Majles electoral process;

(*g*) Severe limitations and restrictions on freedom of religion and belief, including the provision in the proposed draft penal code that sets out a mandatory death sentence for apostasy;

(*h*) Persistent failure to uphold due process of law rights, and violation of the rights of detainees, including the systematic and arbitrary use of prolonged solitary confinement;

3. *Calls upon* the Government of the Islamic Republic of Iran to address the substantive concerns highlighted in the report of the Secretary-General and the specific calls to action found in previous resolutions of the General Assembly, and to respect fully its human rights obligations, in law and in practice, in particular:

(*a*) To eliminate, in law and in practice, amputations, flogging and other forms of torture and other cruel, inhuman or degrading treatment or punishment;

(*b*) To abolish, in law and in practice, public executions and other executions carried out in the absence of respect for internationally recognized safeguards;

(*c*) To abolish, pursuant to its obligations under article 37 of the Convention on the Rights of the Child[4] and article 6 of the International Covenant on Civil and Political Rights,[2] executions of persons who at the time of their offence were under the age of 18;

(*d*) To abolish the use of stoning as a method of execution;

(*e*) To eliminate, in law and in practice, all forms of discrimination and other human rights violations against women and girls;

(*f*) To eliminate, in law and in practice, all forms of discrimination and other human rights violations against persons belonging to religious, ethnic, linguistic or other minorities, recognized or otherwise, to refrain from monitoring individuals on the basis of their religious beliefs, and to ensure that access of minorities to education and employment is on par with that of all Iranians;

(*g*) To implement, inter alia, the 1996 report of the Special Rapporteur on religious intolerance,[5] which recommended ways in which the Islamic Republic of Iran could emancipate the Baha'i community;

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[4] United Nations, *Treaty Series*, vol. 1577, No. 27531.

[5] See E/CN.4/1996/95/Add.2.

(*b*) To end the harassment, intimidation and persecution of political opponents and human rights defenders, including by releasing persons imprisoned arbitrarily or on the basis of their political views;

(*c*) To uphold due process of law rights and to end impunity for human rights violations;

4. *Notes* the positive, though limited, gains, developments and steps discussed in the report of the Secretary-General, but remains concerned that many such steps have yet to be implemented in law or in practice;

5. *Further calls upon* the Government of the Islamic Republic of Iran to redress its inadequate record of cooperation with international human rights mechanisms by, inter alia, reporting pursuant to its obligations to the treaty bodies of the instruments to which it is a party and cooperating fully with all international human rights mechanisms, including facilitating visits to its territory of special procedures mandate holders, and encourages the Government of the Islamic Republic of Iran to continue exploring cooperation on human rights and justice reform with the United Nations, including the Office of the United Nations High Commissioner for Human Rights;

6. *Requests* an update from the Secretary-General on the situation of human rights in the Islamic Republic of Iran, including its cooperation with international human rights mechanisms, at its sixty-fourth session;

7. *Decides* to continue its examination of the situation of human rights in the Islamic Republic of Iran at its sixty-fourth session under the item entitled "Promotion and protection of human rights".

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Resolution adopted by the General Assembly

[*on the report of the Third Committee (A/63/430/Add.5)*]

63/192. Convention on the Rights of Persons with Disabilities and the Optional Protocol thereto

The General Assembly,

Recalling its previous relevant resolutions, the most recent of which was resolution 62/170 of 18 December 2007, as well as relevant resolutions of the Human Rights Council, the Commission for Social Development and the Commission on Human Rights,

1. *Welcomes* the entry into force of the Convention on the Rights of Persons with Disabilities[1] and the Optional Protocol thereto[2] on 3 May 2008;

2. *Also welcomes* the fact that, since the opening for signature of the Convention and the Optional Protocol on 30 March 2007, one hundred and thirty-seven States have already signed and forty-five States have ratified the Convention and eighty States have signed and twenty-seven States have ratified the Optional Protocol, and that one regional integration organization has signed the Convention;

3. *Calls upon* those States that have not yet done so to consider signing and ratifying the Convention and the Optional Protocol as a matter of priority;

4. *Welcomes* the holding of the first session of the Conference of States Parties to the Convention on 31 October and 3 November 2008, and the establishment of the Committee on the Rights of Persons with Disabilities;

5. *Also welcomes* the report of the Secretary-General;[3]

6. *Further welcomes* the Joint Statement of Commitment to the Convention of the Inter-Agency Support Group on the Convention;[4]

7. *Invites* the Secretary-General to intensify efforts to assist States to become parties to the Convention and the Optional Protocol, including by providing assistance with a view to achieving universal adherence;

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[1] Resolution 61/106, annex I.

[2] Ibid., annex II.

[3] A/63/264 and Corr.1.

[4] Available from www.un.org/disabilities/documents/iasg_soc.pdf.

8. *Requests* the Secretary-General to provide the staff and facilities necessary to support the effective performance of the functions of the Conference of States Parties and of the Committee established under the Convention and the Optional Protocol, as well as for the dissemination of information on the Convention and the Optional Protocol, taking into account the provisions of the Convention, in particular on accessibility;

9. *Also requests* the Secretary-General to continue the progressive implementation of standards and guidelines for the accessibility of facilities and services of the United Nations system, taking into account relevant provisions of the Convention, in particular when undertaking renovations, including interim arrangements;

10. *Further requests* the Secretary-General to take further actions to promote the rights of persons with disabilities in the United Nations system in accordance with the Convention, including the retention and recruitment of persons with disabilities;

11. *Requests* United Nations agencies and organizations, and invites intergovernmental and non-governmental organizations, to continue to strengthen efforts undertaken to disseminate accessible information on the Convention and the Optional Protocol, including to children and young people to promote their understanding, and to assist States parties in implementing their obligations under those instruments;

12. *Requests* the Secretary-General to submit to the General Assembly at its sixty-fourth session a report on the status of the Convention and the Optional Protocol and the implementation of the present resolution.

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18 December 2008

United Nations A/RES/63/193

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Agenda item 97

Resolution adopted by the General Assembly

[on the report of the Third Committee (A/63/431)]

63/193. Preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice

The General Assembly,

Recalling its resolution 56/119 of 19 December 2001 on the role, function, periodicity and duration of the United Nations congresses on the prevention of crime and the treatment of offenders, and its resolution 62/173 of 18 December 2007 on the follow-up to the Eleventh United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice, in which it, inter alia, accepted with gratitude the offer of the Government of Brazil to act as host to the Twelfth Congress,

Considering that, pursuant to its resolutions 415 (V) of 1 December 1950 and 46/152 of 18 December 1991, the Twelfth Congress is to be held in 2010,

Bearing in mind the guidelines for and the format of United Nations congresses, as stipulated in paragraph 2 of its resolution 56/119, as well as paragraphs 29 and 30 of the statement of principles and programme of action of the United Nations Crime Prevention and Criminal Justice Programme, annexed to its resolution 46/152,

Bearing in mind also the conclusions and recommendations contained in the report of the meeting of the Intergovernmental Group of Experts on Lessons Learned from United Nations Congresses on Crime Prevention and Criminal Justice, held in Bangkok from 15 to 18 August 2006,[1] which the General Assembly endorsed in its resolution 62/173,

Recognizing the significant contributions of the United Nations congresses on crime prevention and criminal justice in promoting the exchange of experience in research, law and policy development and the identification of emerging trends and issues in crime prevention and criminal justice among States, intergovernmental organizations and individual experts representing various professions and disciplines,

[1] E/CN.15/2007/6.

Recalling that, in its resolution 62/173, it requested the Commission on Crime Prevention and Criminal Justice, at its seventeenth session, to finalize the programme for the Twelfth Congress and to make its final recommendations on the theme and on the organization of round tables and workshops to be held by panels of experts, through the Economic and Social Council, to the General Assembly,

Recalling also that, in its resolution 62/173, it requested the Secretary-General to prepare a discussion guide for the regional preparatory meetings for the Twelfth Congress,

Recalling further its resolution 60/177 of 16 December 2005, in which it endorsed the Bangkok Declaration on Synergies and Responses: Strategic Alliances in Crime Prevention and Criminal Justice adopted by the Eleventh Congress, as contained in the annex to that resolution, and Economic and Social Council resolution 2005/15 of 22 July 2005, in which the Council endorsed the Bangkok Declaration,

Stressing the importance of undertaking all preparatory activities for the Twelfth Congress in a timely and concerted manner,

Having considered the report of the Secretary-General on the follow-up to the Eleventh Congress and preparations for the Twelfth Congress,[2]

1. *Notes* the progress made thus far in the preparations for the Twelfth United Nations Congress on Crime Prevention and Criminal Justice;

2. *Decides* to hold the Twelfth Congress in Salvador, Brazil, from 12 to 19 April 2010, with pre-Congress consultations to be held on 11 April 2010;

3. *Also decides* that the high-level segment of the Twelfth Congress shall be held during the last two days of the Congress in order to allow Heads of State or Government and Government ministers to focus on the main substantive agenda items of the Congress;

4. *Further decides* that the main theme of the Twelfth Congress shall be "Comprehensive strategies for global challenges: crime prevention and criminal justice systems and their development in a changing world";

5. *Approves* the following provisional agenda for the Twelfth Congress, finalized by the Commission on Crime Prevention and Criminal Justice at its seventeenth session:

1. Opening of the Congress.
2. Organizational matters.
3. Children, youth and crime.
4. Provision of technical assistance to facilitate the ratification and implementation of the international instruments related to the prevention and suppression of terrorism.
5. Making the United Nations guidelines on crime prevention work.
6. Criminal justice responses to the smuggling of migrants and trafficking in persons: links to transnational organized crime.

[2] E/CN.15/2008/14.

7. International cooperation to address money-laundering based on existing and relevant United Nations and other instruments.

8. Recent developments in the use of science and technology by offenders and by competent authorities in fighting crime, including the case of cybercrime.

9. Strengthening international cooperation in fighting crime-related problems: practical approaches.

10. Crime prevention and criminal justice responses to violence against migrants, migrant workers and their families.

11. Adoption of the report of the Congress;

6. *Decides* that the following issues shall be considered in workshops within the framework of the Twelfth Congress:

(*a*) International criminal justice education for the rule of law;

(*b*) Survey of United Nations and other best practices in the treatment of prisoners in the criminal justice system;

(*c*) Practical approaches to preventing urban crime;

(*d*) Links between drug trafficking and other forms of organized crime: international coordinated response;

(*e*) Strategies and best practices against overcrowding in correctional facilities;

7. *Requests* the Secretary-General, in cooperation with the institutes of the United Nations Crime Prevention and Criminal Justice Programme network, to prepare a discussion guide for the regional preparatory meetings for the Twelfth Congress in a timely manner in order to enable the regional preparatory meetings to commence early in 2009, and invites Member States to be actively involved in that process;

8. *Urges* participants in the regional preparatory meetings to examine the substantive items on the agenda and the topics of the workshops of the Twelfth Congress and to make action-oriented recommendations to serve as a basis for the draft recommendations and conclusions for consideration by the Twelfth Congress and the Commission at its nineteenth session;

9. *Emphasizes* the importance of the workshops to be held within the framework of the Twelfth Congress, and invites Member States, intergovernmental and non-governmental organizations and other relevant entities to provide financial, organizational and technical support to the United Nations Office on Drugs and Crime and the institutes of the United Nations Crime Prevention and Criminal Justice Programme network for the preparations for the workshops, including the preparation and circulation of relevant background material;

10. *Invites* donor countries to cooperate with developing countries to ensure their full participation, in particular in the workshops;

11. *Requests* the Secretary-General to prepare a plan for the documentation for the Twelfth Congress, in consultation with the extended Bureau of the Commission;

12. *Reiterates its request* to the Secretary-General to facilitate the organization of regional preparatory meetings for the Twelfth Congress and to make available the necessary resources for the participation of the least developed countries in those meetings and in the Congress itself, in accordance with past practice;

13. *Encourages* Governments to undertake preparations for the Twelfth Congress at an early stage by all appropriate means, including, where appropriate, the establishment of national preparatory committees, with a view to contributing to focused and productive discussion on the topics to be discussed in the workshops and to participating actively in the organization of and follow-up to the workshops;

14. *Reiterates its invitation* to Member States to be represented at the Twelfth Congress at the highest possible level, for example, by Heads of State or Government or Government ministers and attorneys general, to make statements on the theme and topics of the Congress and to participate in thematic interactive round tables;

15. *Requests* the Secretary-General to facilitate the organization of ancillary meetings of non-governmental and professional organizations participating in the Twelfth Congress, in accordance with past practice, as well as meetings of professional and geographical interest groups, and to take appropriate measures to encourage the participation of the academic and research community in the Congress;

16. *Again encourages* the relevant specialized agencies, United Nations programmes and intergovernmental and non-governmental organizations, as well as other professional organizations, to cooperate with the United Nations Office on Drugs and Crime in the preparations for the Twelfth Congress;

17. *Requests* the Secretary-General to appoint a Secretary-General and an Executive Secretary of the Twelfth Congress, in accordance with past practice, to perform their functions under the rules of procedure for United Nations congresses on crime prevention and criminal justice;

18. *Requests* the Commission to accord sufficient time at its eighteenth session to reviewing the progress made in the preparations for the Twelfth Congress, to finalize in good time all the necessary organizational and substantive arrangements and to make its recommendations to the General Assembly through the Economic and Social Council;

19. *Requests* the Secretary-General to ensure the proper follow-up to the present resolution and to report thereon to the General Assembly through the Commission at its eighteenth session.

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Resolution adopted by the General Assembly

[*on the report of the Third Committee (A/63/431)*]

63/194. Improving the coordination of efforts against trafficking in persons

The General Assembly,

Recalling its resolution 61/180 of 20 December 2006 on improving the coordination of efforts against trafficking in persons and other relevant General Assembly resolutions on trafficking in persons and other contemporary forms of slavery,

Recalling also Economic and Social Council resolution 2008/33 of 25 July 2008 on strengthening coordination of the United Nations and other efforts in fighting trafficking in persons and previous Council resolutions on trafficking in persons,

Recalling further the United Nations Convention against Transnational Organized Crime[1] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[2] the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography[3] and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery,[4]

Welcoming the progress made at the fourth session of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime, and taking note of the decisions of the Conference on the issue of trafficking in persons,

Recognizing that trafficking in persons impairs the enjoyment of human rights, continues to pose a serious challenge to humanity and requires a concerted international response,

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[1] United Nations, *Treaty Series*, vol. 2225, No. 39574.

[2] Ibid., vol. 2237, No. 39574.

[3] Ibid., vol. 2171, No. 27531.

[4] Ibid., vol. 266, No. 3822.

Welcoming the decisions of the Human Rights Council to establish the mandate of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences,[5] and to extend the mandates of the Special Rapporteur on trafficking in persons, especially women and children[6] and the Special Rapporteur on the sale of children, child prostitution and child pornography,[7]

Recognizing that broad international cooperation between Member States and relevant intergovernmental and non-governmental organizations is essential for effectively countering the threat of trafficking in persons and other contemporary forms of slavery,

Recognizing also the need to continue fostering a global partnership against trafficking in persons and other contemporary forms of slavery,

Recognizing further that the provision of effective support to the work of the Conference of the Parties to the Convention should be an important part of the coordination efforts of the United Nations system on the issue of trafficking in persons,

Recognizing the importance of bilateral, subregional, regional and international cooperation mechanisms and initiatives, including information exchanges on good practices, of Governments and intergovernmental and non-governmental organizations to address the problem of trafficking in persons, especially women and children,

Reaffirming the commitment made by world leaders at the Millennium Summit[8] and the 2005 World Summit[9] to devise, enforce and strengthen effective measures to combat and eliminate all forms of trafficking in persons to counter the demand for trafficked victims and to protect the victims,

1. *Urges* Member States that have not yet done so to consider taking measures to ratify or accede to the United Nations Convention against Transnational Organized Crime[1] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[2] and to implement fully all aspects of those instruments;

2. *Also urges* Member States that have not yet done so to consider taking measures to ratify or accede to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,[3] the Convention on the Elimination of All Forms of Discrimination against Women[10] and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery,[4] and to implement fully all aspects of those instruments;

3. *Recognizes* that broad international cooperation between Member States and relevant intergovernmental and non-governmental organizations is essential for effectively countering the threat of trafficking in persons and other contemporary forms of slavery;

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[5] See *Official Records of the General Assembly, Sixty-third Session, Supplement No. 53* (A/63/53), chap. I, sect. A, resolution 6/14.

[6] Ibid., chap. III, sect. A, resolution 8/12.

[7] Ibid., chap. II, resolution 7/13.

[8] See resolution 55/2.

[9] See resolution 60/1.

[10] United Nations, *Treaty Series*, vol. 1249, No. 20378.

4. *Welcomes* the steps taken by human rights treaty bodies and the Special Rapporteur on trafficking in persons, especially women and children, United Nations agencies and other concerned intergovernmental and governmental organizations, within their mandates, as well as civil society, to address the problem of trafficking in persons, and encourages them to continue doing so and to share their knowledge and best practices as widely as possible;

5. *Calls upon* Governments to continue their efforts to criminalize trafficking in persons in all its forms, including for the sexual exploitation of children, to take measures to criminalize child sex tourism, to condemn the practice of trafficking in persons, and to investigate, prosecute, condemn and penalize traffickers and intermediaries, while providing protection and assistance to the victims of trafficking with full respect for their human rights, and invites Member States to continue to support those United Nations agencies and international organizations that are actively involved in victim protection;

6. *Encourages* all stakeholders, including the private sector, to strengthen the coordination of efforts, including through the Inter-Agency Coordination Group against Trafficking in Persons and regional as well as bilateral initiatives that promote cooperation and collaboration;

7. *Welcomes* the holding of the Vienna Forum to Fight Human Trafficking, from 13 to 15 February 2008, as a part of the awareness-raising efforts to fight human trafficking, and requests the United Nations Office on Drugs and Crime to continue consultations with Member States, to ensure that the Global Initiative to Fight Human Trafficking is carried out as a technical assistance project within the mandates agreed to by the relevant governing bodies and to brief Member States on the workplan of the Global Initiative, to be executed before the end of the project in 2009;

8. *Recognizes* the importance of comparable data disaggregated by types of trafficking in persons, sex and age, as well as of strengthening national capacity for the gathering, analysing and reporting of such data, and welcomes the efforts of the Inter-Agency Coordination Group against Trafficking in Persons, drawing on the comparative advantages of the respective agencies, to share information, experiences and good practices on anti-trafficking activities of the partner agencies with Governments, other international and regional organizations, non-governmental organizations and other relevant bodies;

9. *Acknowledges* the important work on data collection and analysis conducted by the United Nations Office on Drugs and Crime under its Global Programme against Trafficking in Human Beings, as well as by the International Organization for Migration through its global Counter-Trafficking Module database;

10. *Takes note* of the discussions at the thematic debate of the General Assembly on human trafficking, held in New York on 3 June 2008, which included a discussion on the advisability of a United Nations strategy or plan of action on preventing trafficking in persons and protecting and assisting victims of trafficking;

11. *Calls upon* the Secretary-General to collect the views of all stakeholders, including Member States and regional and international organizations, on how to achieve the full and effective coordination of efforts against trafficking in persons of all Member States, organizations, machineries, treaty bodies and all other partners within and outside the United Nations system, including civil society, and to ensure the full and effective implementation of all legal instruments relevant to trafficking in persons, particularly the United Nations Convention against Transnational

Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, without prejudice to the mandate of the working group established by the Conference of the Parties to the Convention, and submit, no later than 1 June 2009, a background paper to the General Assembly at its sixty-third session;

12. *Invites* all Member States to accelerate the consideration of the advisability of a global plan of action on preventing trafficking in persons, prosecuting traffickers and protecting and assisting victims of trafficking, which would achieve the full and effective coordination of efforts against trafficking in persons of all Member States, organizations, machineries, treaty bodies and all other partners within and outside the United Nations system, including civil society, and ensure the full and effective implementation of all legal instruments relevant to trafficking in persons, particularly the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children;

13. *Reiterates its request* to the Secretary-General to provide the United Nations Crime Prevention and Criminal Justice Programme with sufficient resources for the full implementation of its mandates on combating trafficking in persons, in conformity with its high priorities, and to provide adequate support to the Commission on Crime Prevention and Criminal Justice, and invites Member States to provide voluntary contributions to the United Nations Office on Drugs and Crime for the purpose of providing assistance to Member States upon request;

14. *Requests* the Secretary-General to submit to the Conference of the Parties to the Convention and the General Assembly at its sixty-fourth session a report on the implementation of the present resolution and on possible approaches to strengthen the coordination efforts against trafficking in persons of the Inter-Agency Coordination Group against Trafficking in Persons.

71st plenary meeting
18 December 2008